

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

DENISE CASSESE f/k/a DENISE CALIGIURI, GEORGE SCOTT RUSH, RICHARD MELICHAR and RICHARD SCHROER, individually and on behalf of all others similarly situated, Plaintiffs, v. WASHINGTON MUTUAL, INC., WASHINGTON MUTUAL BANK, FA, WASHINGTON MUTUAL BANK, FSB, WASHINGTON MUTUAL BANK, and WASHINGTON MUTUAL HOME LOANS, INC., Defendants.	Civil Action No. 05-02724 Arthur D. Spatt, USDJ Arlene R. Lindsay, USMJ
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ORDER TO SHOW CAUSE

Upon the Declaration of Paul C. Whalen, sworn to on January 3, 2011, it is ORDERED, that Joseph S. Tusa of Whalen & Tusa, P.C., counsel in the above named action, appear before this Court, at Room 1020, United States Courthouse, 100 Federal Plaza, Central Islip, New York, on January ____, 2011 at ____ o'clock in the ____noon thereof, or as soon thereafter as counsel may be heard, why an order should not be issued prohibiting Mr. Joseph S. Tusa from acting as class counsel in any capacity other than as a member of W&T and that any attorneys' fees and costs which may be awarded to Class Counsel be held in escrow until Class Counsel (comprised of W&T and Lowey Dannenberg Cohen & Hart P.C.) can agree to a fair and equitable distribution of fees among Class Counsel; and it is further ORDERED that a copy of this order, together with the papers upon which it is granted, be served upon Joseph S. Tusa by overnight delivery on or before January ____, 2011, by ____, and that such service be deemed good and sufficient.

Dated: Manhasset, New York
January 3, 2011

WHALEN & TUSA, P.C.

/s/ Paul C. Whalen
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U.S.D.J.